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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,192	10/22/2003	Keon-Soo Choi	CU-3405 VE	6780
26530	7590	09/30/2004		
LADAS & PARRY LLP 224 SOUTH MICHIGAN AVENUE SUITE 1200 CHICAGO, IL 60604			EXAMINER PHAM, MINH CHAU THI	
			ART UNIT 1724	PAPER NUMBER

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/691,192

Applicant(s)

CHOI, KEON-SOO

Examiner

Minh-Chau T. Pham

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/7/04 & 10/22/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Specification

The abstract of the disclosure is objected to because legal phraseology "comprising" is used in the abstract. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oh et al (6,757,933 B2).

Oh et al disclose a vacuum cleaner filter (260) which is detachably mounted into a dust collecting chamber (400) of a main body of the vacuum cleaner (200) and which filters dust contained in the air sucked into an air inlet of the dust collecting chamber and the filter (360) comprising a cylindrical filter body having a plurality of open parts (364) and an external screw section (346), a porous filter paper (362) for covering the open parts (361), and a cover (351) having through hole fitting (370) and an internal screw section (346) corresponding to the external screw section (see Fig. 4). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide a vacuum cleaner filter as taught by Oh et al to provide an improved filter assembly for the vacuum cleaner which effectively collect particulates in the air stream passing through.

Claims 2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oh et al (6,757,933 B2), in view of Alberts, III et al (6,565,637 B2).

Claims 2 and 5 call for a cover having a handgrip and a plurality of projections are formed on the lower surface of filter body. Alberts, III et al disclose a cover provided with a handgrip (see the very top part of filter assembly 10 in Fig. 2), and a plurality of supporting projections formed on the lower surface of filter body to space the filter body from the bottom surface of the dust collecting chamber (see details of the very bottom part of filter assembly 10 in Fig. 2). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide a handgrip and projections on lower surface of filter body as taught by Alberts, III et al in the filter apparatus of Oh et al so that the filter assembly would be easily detachable from the device for maintenance or clean-out.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oh et al (6,757,933 B2), in view of Oh (6,732,406 B2).

Claims 3 and 4 call for the handgrip on the side of filter body and guide projections to guide filter to be properly mounted into the dust collecting chamber. Oh discloses a filter body (37) having a handgrip (39) on one side thereof, and guide protrusions formed on the cover to guide the filter to be properly mounted into the dust collecting chamber (see Fig. 4, col. 4, lines 29-34). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide a handgrip and guide projections as taught by Oh in the filter apparatus of Oh et al so that

the filter assembly would be easily taken in and out from the device and for properly aligning the filter assembly into the device.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Ataka et al (4,426,211) disclose a vacuum cleaner with dust disposal.
- Stephens et al (6,436,160 B1) disclose a dirt cup assembly.
- Choi et al (6,648,934 B2) disclose a cyclone dust collecting apparatus.
- Oh et al (6,660,053 B2) disclose a grill assembly of cyclone dust collector.
- Park et al (6,766,557 B2) disclose a vacuum cleaner.
- Murphy et al (6,775,882 B2) disclose a vacuum cleaner with dirt cup.
- Choi (6,782,584 B2) discloses an upright vacuum cleaner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau T. Pham whose telephone number is (571) 272-1163. The examiner can normally be reached on Mon/Tues/Thur/Fri 7:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Minh-Chau Pham
Patent Examiner
Art Unit: 1724
September 28, 2004